#### Remarks:

Added pages of Applicant's Declaration are attached hereto indicating that this application designates the earlier filed provisional application for benefit under 35 USC § 120.

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

**SMITH & HOPEN** 

Dated: October 1, 2004

Anton J. Hopen

Suite 220

15950 Bay Vista Drive Clearwater, FL 33760

(727) 507-8558

Attorneys for Applicants

pc: Michael Poindexter Connie Poindexter

### **CERTIFICATE OF MAILING**

(37 C.F.R. 1.8)

I HEREBY CERTIFY that this Preliminary Amendment, including Introductory Comments, Amendments to the Specification, and Remarks, is being deposited with the United States Postal Service by first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 1, 2004.

Dated: October 1, 2004

Deborah Preza



# ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION

(complete this part only if this is a divisional, continuation or C-I-P application)

### CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. § 120

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information

[X] that is material to patentability as defined in 37, Code of Federal Regulations, § 1.56

(also check the following item, if desired)

[X] and that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent,

that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application. (37 CFR 1.63(e)).

(also check the following item, if desired)

[ ] In compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. 1.98.

OCT O & 2004

## PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC § 120:

U.S. APPLICATIONS

Status (check one)

U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
1. 60/561,185	04/21/2004		X	
2. /				
3. /				
PCT APPLICATION DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLICATION NOS. ASSIGNED (If any)		
4.		0/		
5.		0/		
6.		0/		